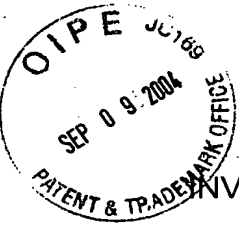


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JFW AF/2631
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Johnson et al.

TITLE : A METHOD AND APPARATUS FOR
REDUCING ADJACENT CHANNEL
POWER IN WIRELESS
COMMUNICATION SYSTEMS

APPLICATION NO. : 09/395,490

FILED : September 14, 1999

CONFIRMATION NO. : 6096

EXAMINER : Burd, Kevin Michael

ART UNIT : 2631

LAST OFFICE ACTION : March 10, 2004

ATTORNEY DOCKET NO. : LUTZ 2 00023
Johnson 6-1-17

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **March 10, 2004** finally rejecting claims 1-28 and 30-34.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$330.00

09/13/2004 WABDELRI 00000001 09395490
330.00 DP
02 FC:1401

3. **EXTENSION OF TERM**

☒ Applicants hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a third month extension of time (an amendment was filed in the U.S. Patent and Trademark Office on July 29, 2004 accompanied by a two month extension of time and check in the amount of \$420.00) up to and including September 10, 2004 in which to file the accompanying Notice of Appeal. The additional amount of \$530.00 for the third month extension fee is enclosed herewith. Applicants request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee:	<u>\$330.00</u>
Extension of Time Fee:	<u>\$530.00</u>

5. **FEE PAYMENT**

Attached is a check in the amount of \$330.00 and a check in the amount of \$530.00. If any additional extension and/or fees are required, please charge Deposit Account No. 06-0308.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP

September 9, 2004
Date

Joseph D. Dreher
Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- ☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
EL 964425767 US
Date
<u>Sept. 9, 2004</u>

Signature
<u>Roseanne Giuliani</u>
Printed Name
Roseanne Giuliani